

# **EXHIBIT 3**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)**

CHELSEA GILLIAM, *et al.*,

\*

Plaintiffs,

\*

v.

Civil Action No. 1:23-cv-1047

\*

DEPARTMENT OF PUBLIC SAFETY

AND CORRECTIONAL SERVICES, *et al.*, \*

Defendants.

\*

\* \* \* \* \*

**DECLARATION OF CHLOE GREY**

I, Chloe Grey, testify to the following:

1. That I am over the age of 18 years old and am competent to testify.
2. On or about December 18, 2023, I was transferred from Patuxent Institution to North Branch Correctional Institution (NBCI).
3. Prior to my arrival at NBCI, I was not informed that a housing assessment was being conducted.
4. No one at Patuxent asked for my opinion on whether I should be housed at a women's institution.
5. Shortly before I left Patuxent, Captain Carter used NBCI as a threat to convince me to plead guilty to ARPs, and informed me that I would be transferred to NBCI as retaliation for filing complaints against prison administrators. I documented this in a written declaration on November 29, 2023, which is attached as Exhibit A.
6. Upon arriving at NBCI, officers confiscated virtually all of my property, including feminine clothing items, and threw them all away.

7. I was held on disciplinary segregation until December 29th, 2023.

8. I continue to be held on administrative segregation.

9. I have not been allowed to keep razors on my person. NBCI staff informed me that I couldn't keep razors in administrative segregation, despite that being allowed under DPSCS policy.

10. I only have access to razors three times per week during shower times. This has allowed stubble to grow and exacerbates my gender dysphoria. The head of security informed me that "II Grey will be treated in the same manner as all other male inmates at our facility[.]"

11. I have not received access to any over-the-counter facial hair inhibitor cream while at Patuxent or NBCI.

12. A YesCare nurse named Katherine told me that she has multiple facial hair inhibitor creams she could give me. When she tried to order them, DPSCS staff prevented her from ordering me the cream.

13. As of the date of this filing, I still have not received access to a facial hair inhibitor cream.

14. On December 26, I was given a choice between showering and using a razor or attending a legal visit with my attorneys. That has continued to this day. My legal visits have consistently been scheduled during my shower/razor times.

15. NBCI staff have consistently harassed me because of my gender identity, calling me a "he" or an "it."

16. I have bruises on my arms from the rough treatment I have received from NBCI staff.

17. When I informed a case manager that I legally changed my gender to reflect my gender identity, he wiped his crotch with the paperwork from the Circuit Court and threw it in the trash.

18. I am on a housing tier surrounded by violent male rapists. They have repeatedly thrown feces, urine, and semen into my cell. When I complained about this to an officer, he said that I shouldn't have "pissed him [the inmate] off."

19. On December 25, I opened up the slot in which inmates receive food and had semen thrown in my face. When I asked for an AIDS test, an officer denied my request.

20. The inmates on my housing tier have repeatedly threatened to rape me and murder me because I am a transgender woman. I do not feel safe living in this environment.

21. When I have complained about feeling unsafe, NBCI officials have done nothing to address those complaints.

22. I feel even more unsafe when thinking about being released into the general population at NBCI.

23. When I have spoken to my Housing Manager, Lt. Gillam, he has continually referred to me as "he" and "sir."

24. Lt. Gillam has informed me that there are "a lot of evangelical Christians" at NBCI who disapprove of my gender identity.

25. Other housing managers, such as Lt. Miller, refuse to acknowledge my gender identity and only use male pronouns when referring to me.

26. Lauren Beitzel, a mental health professional who is purportedly a point of contact for gender dysphoric inmates at NBCI, has acknowledged that staff should stop misgendering me and abusing me because of my gender identity.

27. However, at a meeting to discuss my administrative segregation on January 24, Ms. Beitzel said nothing while Lt. Gillam continually harassed me on account of my gender identity.

28. At that meeting, Lt. Gillam told me that I “chose” to be transgender and that I “chose to be abnormal.” He went on to claim that I have “to accept that 99% of the country will hate me.”

29. Lt. Gillam also stated that I had “made a choice [to transition] that was not based in medical fact” and that my “lifestyle choices” are “disgusting to America.” When I protested this verbal abuse, other attendees at the meeting, including Ms. Beitzel and Case Managers Mackenzie and Johnson refused to intervene.

30. While I was supposed to receive tablet access back on January 12, I have yet to receive a tablet since arriving at NBCI.

31. Other new arrivals have already received tablets.

32. Without a tablet, I have no access to the phone or the commissary.

33. Because I do not have access to the phone, I have no access to the PREA hotline. As a result, I am forced to rely on guards at NBCI to submit PREA complaints, which they have refused to take.

34. Likewise, I am also forced to rely on guards to submit ARPs because I remain in administrative segregation.

35. Even after I have submitted ARPs, officers refuse to give me appeal forms to continue the grievance process.

36. On the morning of January 18, I asked a female housing tier officer named Brittinger if I could call Ms. Beitzel to talk to her about a gender dysphoria issue.

37. Officer Brittinger then asked me why I would need to ask about a gender dysphoria issue. When I explained that I am transgender, she told me that I am a man, that I am “sick in the head” and that I am a “fucking dude.”

38. I responded that she was violating PREA and harassing me because of my gender identity. Officer Brittinger left. When she returned less than an hour later, I asked to file a PREA complaint. She refused, saying “I don’t do PREA” and told me to talk to another officer.

39. No officer came back onto the tier for the rest of the day.

40. I have been allowed to keep my hormone treatments on my person for now.

41. When I submit sick call slips for my hormone refills, they are not taken for days. Male inmates get their medications filled much more quickly.

42. Officers participate and egg this behavior on. They call me a man/freak. An officer named Murray calls me the “titty boy.”

43. Another officer with an Eastern European last name has repeatedly sexually harassed me. He has started conversations with other officers and inmates on my breast size, commented on my backside, rubbed against my buttocks, and propositioned me for oral sex. I have been warned that filing PREA complaints against this officer would place me in danger.

44. An officer suggested that I should “get along” with members of my housing tier, implying that I should have sex with them. He also suggested that he could get me a cellmate but it would have to be a cellmate that he chose, and implied that sexual conduct would be expected.

45. Officers are also listening in to my legal calls and mocking my reactions through the door when I am on my legal visits with my attorneys.

46. Because it is unsafe for me to be in general population, NBCI officials have told me that I will remain in administrative segregation.

47. In administrative segregation I only have one hour out for recreation a day, which I am unable to take because I feel unsafe.

48. I have no access to educational, work-related, library, and religious programming.

49. I have no access to television, radio, or social interactions. The only social interaction I have is yelling through a vent to the cell next to me.

50. I have no access to a calendar or a clock.

51. The decision to house me at NBCI has condemned me to a lifetime in administrative segregation.

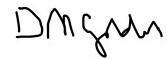
52. From the beginning of this period of incarceration within DPSCS in 2016 to today, I have never had a history of institutional violence or sexual abuse. I have instead been the victim of institutional violence and sexual abuse.

53. Likewise, I never received a disciplinary charge during this period of incarceration until I arrived at Patuxent and joined this ongoing lawsuit against DPSCS.

54. I have reviewed this declaration with my legal counsel. NBCI policies will not allow me to sign it during an attorney visit, so I am directing my attorney to sign it for me. I understand that a copy will be mailed to me, inspected by the prison, and given to me to sign and mail back to my counsel. That directly signed copy will be provided to the Court as well.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 22, 2024



Deborah Golden (for Chloe Grey)

Signed on \_\_\_\_\_

Chloe Grey